

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA**

DALE E. HARPER,)	
)	
Plaintiff,)	
vs.)	Case No. CIV-11-0996-HE
)	
WOODWARD COUNTY BOARD)	
OF COUNTY COMMISSIONERS, <i>et al.</i>)	
)	
Defendants.)	

ORDER

Plaintiff Dale E. Harper, a state prisoner appearing *pro se* and *in forma pauperis*, filed this § 1983 action against multiple defendants, alleging violations of his constitutional rights. Consistent with 28 U.S.C. § 636(b), the matter was referred for initial proceedings to Magistrate Judge Charles B. Goodwin, who has recommended that plaintiff's request for a writ of mandamus be denied.


While plaintiff filed an objection to the Report and Recommendation, he did not address the magistrate judge's conclusions that the court lacks jurisdiction to compel state entities or officials to take certain actions and that plaintiff did not establish that he is entitled to the preliminary injunctive relief he may be seeking against nonparties. Instead, plaintiff asked the court again for the relief requested in the writ.

By failing to file a proper objection, plaintiff waived his right to appellate review of the issues the Report and Recommendation addressed. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059-60 (10th Cir. 1996); *see* 28 U.S.C. §636(b)(1)(C). Accordingly, the court adopts Magistrate Judge Goodwin's Report and Recommendation and

denies plaintiff's Petition for Writ of Mandamus [Doc. #211].

IT IS SO ORDERED.

Dated this 4th day of March, 2015.



JOE HEATON
UNITED STATES DISTRICT JUDGE